

**CITY OF DELTONA, FLORIDA
ECONOMIC DEVELOPMENT COMMERCE PARK SUB-COMMITTEE MEETING
FRIDAY, AUGUST 9, 2013**

A Regular Meeting of the Economic Development Commerce Park Sub-Committee was held on Friday, August 9, 2013 in the City of Deltona's 2nd Floor Conference Room at 2345 Providence Blvd., Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 3:32 p.m. by Chairman Braddy.

2. ROLL CALL & DETERMINATION OF QUORUM:

Chairman	Roy Braddy	Present
Vice Chairman	John "Jack" Kesler	Present
Sub-Committee Member	Tanya Boggs	Present
Sub-Committee Member	Joe Cerrato	Present
Sub-Committee Member	Janet Deyette	Absent (excused)
Sub-Committee Member	Christine Peacock	Present
Staff Liaison	Jerry Mayes	Absent (excused)
Interim Liaison	Ron Paradise	Present

3. PLEDGE OF ALLEGIENCE: Pledge was recited.

4. APPROVAL OF MINUTES & AGENDA:

A. Adoption of the Minutes – June 14, 2013:

Chairman Braddy asked if everyone had a chance to review the minutes from June 14, 2013 and if there was any discussion; if not a motion is in order.

Motion was made by Mr. Cerrato, seconded by Vice Chairman Kesler to approve the revised June 14, 2013 minutes as published.

Motion carried with members present voting unanimous.

B. Additions or Deletions to the Agenda: None

5. WELCOME OF GUESTS & PUBLIC: None

6. CITY LIAISON REPORT:

A. Reminder on city Advisory Board's By-Laws regarding memberships on advisory boards and the Sub-Committee of advisory boards.

Chairman Braddy stated items A and C are the same so he suggested moving ahead to Item B.

B. Name Designation to assist City Clerk's Office (DEDAB Sub-Committee – 2).

Chairman Braddy stated that at the last DEDAB Advisory Board meeting it was brought up and determined that the sub-committees would be called Sub-Committee No. 1 and Sub-Committee No. 2 to designate them for clerical reasons as they sometimes have long titles. He stated this does not alleviate our tasks; they will remain the same. He stated this sub-committee will be called Sub-Committee No. 2.

C. Review of DEDAB and DEDAB Sub-Committee By-Laws and City Policies by Becky Vose, City Attorney.

Chairman Braddy turned the meeting over to Ms. Vose to go over the by-laws. Ms. Vose stated she will also be talking about Sunshine Law, Public Records Law and answering any questions you may have. She stated that the by-laws set forth how the meetings are run, what a quorum is, the officers and that minutes are taken. She stated the by-laws do specify that if you have questions regarding anything that has to do with the Committee/Sub-Committee those questions are to be directed to Mr. Mayes; if you have specific legal questions Ms. Vose stated she does not mind if you go directly to her. She stated the most frequently asked questions have to do with the Sunshine Law. She asked if the sub-committee had ever had a presentation on Sunshine Law. Mr. Cerrato commented that Mr. Mayes had talked about it in the past. She stated the Sunshine Law basically says if you are going to be talking about something that may in the future come up for a vote in front of your committee the only time you can discuss it amongst yourselves is at a called regular meeting when the meeting is being recorded and minutes are being done. She suggested if anyone had an idea that they wanted to discuss with the committee you are not allowed to call a committee member or send out an email to everybody; it is okay to send something to Mr. Mayes or her. She stated your email will not be forwarded out to everybody and that is a mistake that staff makes sometimes but that is kind of skirting the Sunshine Law. Mr. Mayes can send out something if he has an idea or if someone suggests something to him; he can email the committee members and suggest they might want to think about the idea as he may put it on the agenda or bring it up for discussion at the meeting. She stated under Florida Law if you violate the sunshine law it is a crime so you have to be very careful. She stated other pitfalls include you going to a civic function and you talking to non-members about specific matters that are being discussed at your meetings and one of your fellow committee members comes over, you have to stop talking about those matters at that time. Ms. Peacock asked to clarify that the members can relay information from the meetings to the public but not to each other. Ms. Vose answered that is correct. She stated the idea is that this board/committee cannot meet out of the sunshine. She added you can meet with your neighbors, perfect strangers or whoever but not 2 or more of the committee members. She stated that includes emails, letters or anything. Mr. Cerrato reminded everyone that anything that is discussed here is public record so it is fine to discuss it with the public but not each other. Ms. Peacock asked if the reason for this law is because of the influence or persuasion. Ms. Vose stated it is a Florida Statute and she believed the name says it all; everything should be done in the sunshine. She explained that if someone wants to know what happened here at the meeting they can request to listen to the recording or read the minutes to find out what happened however if two of you go off during a break and discuss things it is not in the sunshine.

Ms. Vose spoke about public records giving examples of what is and what is not a public record. She used for example if you write your grocery list on your agenda; that does not become a public record however if you write on your agenda that Ms., Vose said to do this or not do this it becomes a public record. She stated if you are in a meeting and you are taking notes, they become public records and are subject to public records requests. She stated public records requests typically go to Joyce Raftery the City Clerk. Mr. Paradise explained what the City Clerk does is send out emails and goes and visits the departments that may have some involvement in the topics of the records request. Ms. Vose gave an example of someone asking to see all the notes taken by the DEDAB sub-committee and in that case you can expect a call from the City Clerk; if you did not take any notes it's not a problem. Ms. Peacock asked if they take notes are they supposed to keep them. Ms. Vose answered you can keep them but technically they become public records. Ms. Boggs asked if the City receives public records requests or is it by subpoena only. Ms. Vose answered it can be public records request; you do not need a subpoena. Mr. Paradise stated the request can be specific but can also just be fishing expedition to see what they can get. He added that he believes that some people with adversarial positions with the City sometimes do that as part of a strategy. Mr. Cerrato stated when you send an email to Mr. Mayes it becomes a public record. Mr. Paradise cautioned that you should never send anything through the City system that you would not want your mother to read. Ms. Vose added or that you would not want in a newspaper. Mr. Cerrato commented in addition to emails any letters and notes sent to the City are considered public records. Ms. Vose asked

if there were any other questions. She added that she is very open about receiving phone calls or emails so don't hesitate to contact her if needed.

7. OLD BUSINESS:

A. Review of "whitepaper" and brief discussion:

Chairman Braddy stated at the last meeting they had talked about the "whitepaper" he had drafted and asked if the copies had been passed around to the sub-committee members. Mr. Paradise stated he had passed copies out. Chairman Braddy apologized that this had gotten out through a newspaper article and he had not intended for that to happen; it just got caught up in something else that was going on at the time and he would have never intentionally have had this happen. Mr. Paradise stated this was a good example of public records and everything being transparent and in the sunshine. He recommended being conservative and as he spoke about earlier; if you have to ask it probably isn't consistent with the sunshine law. Ms. Peacock commented if you are still working on it but it is not ready to be out there is it still up for grabs. Chairman Braddy stated he spoke about it at the meeting, it became public record and someone requested it and it ended up with the News Journal. Mr. Cerrato suggested that if you are working on something at home and keeping notes it is probably okay however once you pass it on that is where you get into trouble. Mr. Paradise commented that was correct and just some perspective from someone who has worked in local government for over 20 years and has dealt with this before; the press has come to him numerous times in the past and said they know he is working on a project X and they want to see what he is doing. He stated he would answer that it is all public record and you can look all you want but he asks them for some professional deference in that this is not ready for public consumption at this time. He added that he has had about 100% success rate in them respecting that. He stated he believes that the press will respect that but he also believes you have to ask for the deferential treatment. Chairman Braddy stated had he known what he knows now he would have kept it private and brought it to the meeting today to discuss. He went on to say the he had not come up with the statistics in the report; he had gotten the statistics through someone at FedEx and they are the ones who came up with the projections and the data. He stated he wanted everyone to know if it came to a rosy picture it was because of the professionals who do this type of work and came from their perspective.

8. NEW BUSINESS:

Chairman Braddy asked to skip on over to Item 8B at this time.

B. Member presentations on "Commerce Park" research topics:

Chairman Braddy stated that he would like to hear if any of the other members had some ideas they would like to put out there in regards to a commerce park; it was just his idea for a distribution center. He mentioned the Vice Chairman Kesler has a very strong background in Greenfield projects he may have an idea he might want to write up. He stated we are all from different walks with different views and that is good. Ms. Peacock asked what Greenfields were. Chairman Braddy stated it is where you find an empty area and start from the ground up. Vice Chairman Kesler gave an example where he was working for a company that wanted to build a factory to build pre-fab houses along the coast so that they could put them on cargo ships and it was his job to find a vacant area to build a facility. Mr. Cerrato suggested everyone give it some thought and submit any ideas to Mr. Mayes to bring to the sub-committee on a future agenda for discussion. Ms. Peacock commented she liked the idea that had been put forward because it was unique to the I-4 corridor as far as distribution right on I-4. Chairman Braddy stated it may not be just unique to distribution adding that Ms. Boggs deals with all kinds of industry and it could even be a company that wants to build circuit boards. He went on to say that Mr. Cerrato is exposed to a lot of different people and may have some ideas for that property. He stated there are 250 acres that are a blank slate and we are tasked with doing the research to find what might fit best. He stated it is a just a vision

for now and if anyone has any ideas please get with Mr. Mayes then we can get together as a team and decide what that vision should look like.

A. Update on Commerce Park meetings (utility providers meeting):

Mr. Paradise stated he had a meeting with several entities who have utility interests in the vicinity of the commerce park site and pretty much everything which includes natural gas and electricity is right there close by or immediately available to the site. Ms. Peacock asked about fiber optics. Chairman Braddy answered Brighthouse is in that area already. Ms. Peacock stated if fiber optics is already there that would also be a unique selling point and would bring in more business opportunities. Mr. Paradise stated that it is excepted by the business world that fiber optics are a must and he recalled that Brighthouse had been at that meeting and they had expressed that it wasn't an issue. He added that one of the things that he found encouraging at the meeting was that the gas company would provide up front the extension with the idea that they would be able to recoup those costs with a known set of users. He stated with full disclosure that area is included in the County's Deltona North water and sewer service area and is a good and modern system however there have been some questions in the past about the water pressure. He added it is fine for day to day use and even in intense projects but the questions come regarding endurance and duration. He stated that terminology is associated with fire protection and the ability to provide the pressure to support firefighting needs. Vice Chairman Kesler asked if there were any wells in that area. Mr. Paradise answered yes but did not have the specifics. Vice Chairman Kesler asked about sewer and wastewater in the area. Chairman Braddy suggested asking Mr. Mayes to check into the water issue more because water pressure may cause issues with insurance coverage. Mr. Paradise commented if it comes down to it he believes the County will step up and do what they need to do to insure there is adequate endurance and duration. Ms. Peacock commented that she hoped the City would be selective in the type business they allow referring to the Blue Rhino incident. Mr. Paradise assured her that any prospective project would have to go through re-zoning, site plan review and public hearings before anything can be built there; there will be ample time for the public to come and express views on a range of issues such as traffic, environmental, compatibility, etc. Ms. Boggs commented she believed this location was perfect for a distribution center/logistics because of the jobs it would bring as well as the proximity to the interstate however she has not heard anything from the City as to what they want. Mr. Paradise stated the City does have a vision for this area which is called the "activity center" which includes types of uses ranging from office to retail to industrial at certain intensities. He added these are general planning provisions and is not as detailed as a distribution center use or a factory use. He went on to say that the City has standards and it is not the intent for the standards to onerous or rigorous but the standards are a balance between the needs of the community and the needs of the developer. He stated the general consensus is we want light non-polluting industry and that seems to be what is out there at this time. Mr. Cerrato asked if there would be any needed comp plan changes. Mr. Paradise answered that the comp plan addresses the activity center in the City's land use development code. Chairman Braddy commented we need ideas so we can have Team Volusia market this for us. Mr. Cerrato suggested everyone who has any ideas get with Mr. Mayes before the September meeting so the sub-committee can look at the options to keep moving forward as we will have to present them to the City and Team Volusia. Ms. Peacock was interested in where on the internet she could find other communities that have done projects such as this. Mr. Cerrato suggested looking at Lake Mary and Lakeland. Mr. Paradise suggested a Google search of public/private distribution facilities. Vice Chairman Kesler commented he was listening to a program that had the president of a manufacturing association in Volusia County and he wondered who she was and if it was possible to have her come speak at a meeting. Chairman Braddy stated she is Jane Fifer from the Volusia Manufacturing Association (vma.com) and he talks with her about every day. He added that will have to go through Mr. Mayes to invite her. He asked that Mr. Paradise or Mr. Mayes contact the Volusia Manufacturing Association and invite her.

C. Member presentations on secondary assignment request to Commission:

Chairman Braddy stated we always had two projects; now we only have one so is there a second project anyone can think of for the sub-committee to take on in addition to the commerce park. He suggested if not would we want to ask the Commission if there was anything they would want to task the sub-committee with. Ms. Peacock asked if it was something that was counter-productive to what we are doing; could we reject it. Mr. Cerrato commented once the Commission tasks the sub-committee he did not feel we would be able to reject it. Mr. Cerrato suggested commerce is important at this time and we probably do not want to spread ourselves too thin. Chairman Braddy stated the commerce task is very important and we should concentrate on the commerce park first. Mr. Cerrato suggested if anyone has any thoughts just send them to Mr. Mayes to put on an agenda.

9. MEMBER COMMENTS:

Vice Chairman Kesler commented he believed this was a very fruitful meeting and he thought bringing the President of the Volusia Manufacturing Association would be very good. Chairman Braddy commented he wanted everyone to understand that her job is not to create business but to support business. Vice Chairman Kesler commented that on that program she had expressed she was also working with newcomers as well. Chairman Braddy commented he was all for bringing her in but he just didn't want everyone to have high expectations.

Ms. Peacock commented she was excited about the idea of bringing Ms. Fifer in to speak.

Mr. Cerrato commented he wanted to express kudos to staff or whoever does the minutes because when we all started he had wanted to have as much detail as possible and they have done a fantastic job. He commented that he had missed a meeting but after he read the minutes he felt like he was there and didn't really miss anything.

Chairman Braddy commented he seconded that and thanked Mr. Paradise for helping out today. He added this was a good meeting and commented if you have any ideas or concepts this is the time to put it out there and we will help you with it.

10. PUBLIC COMMENTS: None

11. CONFIRMATION OF NEXT MEETING DATE, TIME AND LOCATION.

Next meeting scheduled for Friday, September 13, 2013 at 3:30 p.m. in the 2nd Floor Conference Room.

12. ADJOURNMENT:

Motion was made by Ms. Boggs, seconded by Mr. Cerrato to adjourn the meeting.

Motion carried with members present voting unanimously.

Meeting adjourned at 4:36 p.m.

Roy Braddy, Chairman

ATTEST:

Janet Day, Admin. Assistant II